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SUPREME COURT, U. S.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1963

No. 592

COCHEYSE J. GRIFFIN, *etc, et al.*,
Petitioners,
v.
COUNTY SCHOOL BOARD OF PRINCE EDWARD COUNTY, *et al.*,
Respondents.

SUPPLEMENTAL MEMORANDUM FOR THE CITY OF CHARLOTTESVILLE AS AMICUS CURIAE

It is stated in the Supplemental Memorandum for the United States (p. 4):

> "These petitioners seem also to have abandoned any broad attack on the Virginia tuition grant statute and to confine themselves—as does the United States—to seeking an injunction against the use of such grants in Prince Edward County. . . ."

The City of Charlottesville, on the basis of the argument before the Court, is of the same opinion, but if it should later appear that petitioners have not abandoned their general attack on the program, we would respectfully ask the Court to consider the following.

It is the thought of the City that the oral argument may

have left with the Court an impression that the present scholarship aid statutes of the State of Virginia are a residual portion of the 1956 "massive resistance" legislative package and had therefore been enacted as part of a plan to maintain segregation in the Virginia schools. As our brief will demonstrate (pp. 2-5) the present tuition grant program is a product of the abandonment in 1959 of the earlier policy of "massive resistance," and its statutory purpose—to whatever extent such intent may be relevant—was to withdraw the State from any further activity in support of segregation in the schools; an intent which we believe is fully exemplified by the operation of the program since its enactment (Br. pp. 6-10).

Respectfully submitted,

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